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12 Attorneys for Defendants
13 America's Servicing Company, a division of
14 Wells Fargo Home Mortgage; Wells Fargo Home
15 Mortgage, a division of Wells Fargo Bank, N.A.
16 (sued collectively as "Wells Fargo Home
17 Mortgage America's Servicing Company"); and
18 HSBC Bank USA, N.A., as Indenture Trustee for
19 First NLC Trust 2005-3, Mortgage-Backed Notes,
20 2005-3

21
22 UNITED STATES DISTRICT COURT
23
24 NORTHERN DISTRICT OF CALIFORNIA
25
26 SAN FRANCISCO DIVISION

27 FELIX O. GUILLORY, an individual,

28 Plaintiff,

vs.

29 HSBC BANK USA, NATIONAL
30 ASSOCIATION AS INDENTURE TRUSTEE
31 FOR FIRST NLC TRUST 2005-3; WELLS
32 FARGO HOME MORTGAGE AMERICA'S
33 SERVICING COMPANY,

34 Defendants.

35 Case No. 3:16-CV-03868-MMC

36
37 **[PROPOSED] ORDER RE:**
38 **DEFENDANTS' ADMINISTRATIVE**
39 **MOTION TO CHANGE TIME**
40 **PURSUANT TO CIVIL L.R. 6-3**

41 PI Hearing Date: ~~August 19, 2016~~
42 Time: 9:00 AM
43 Courtroom: 7
44 Judge: Hon. Maxine M. Chesney
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46 Action Filed: July 11, 2016
47 Trial Date: Not Set

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1 For the reasons stated in the motion to change time filed by defendants America's
2 Servicing Company, a division of Wells Fargo Home Mortgage; Wells Fargo Home Mortgage, a
3 division of Wells Fargo Bank, N.A. (sued collectively as "Wells Fargo Home Mortgage America's
4 Servicing Company"); and HSBC Bank USA, N.A., as Indenture Trustee for First NLC Trust
5 2005-3, Mortgage-Backed Notes, 2005-3, and good cause appearing, IT IS HEREBY ORDERED
6 as follows: *

7 1. Defendants shall cause the trustee's sale of the property located at 4909 Stacy
8 Street, Oakland, California 94605 to be postponed to October 26, 2016, or later.

9 2. In the Court's Order of July 12, 2016, plaintiff Felix O. Guillory was instructed to
10 "fil[e] with the Clerk of Court . . . a bond or other security, or cash, in the amount of \$1000" as a
11 condition of his temporary restraining order. As of the date of this order, the Court's docket
12 reflects that this has not yet been done. Plaintiff's deadline to submit the required bond, security,
13 or cash to the Clerk of Court is continued to August 19, 2016, as a condition of the 60-day
14 postponement of the trustee's sale set forth in Paragraph 1. (See Doc. No. 14.)

15 3. The preliminary injunction hearing currently scheduled for August 19, 2016, at
16 9:00 AM, and the parties' accompanying briefing schedule, is vacated.

17 4. The parties shall appear before the undersigned for a status conference on October
18 7, 2016, at 10:30 AM in Courtroom 7, 19th Floor, to determine the status of plaintiff's loan
19 modification application and whether there will be a need for motion practice with respect to a
20 preliminary injunction. A Status Conference Statement shall be filed by September 30, 2016.

21 5. Defendants' response deadline to Guillory's complaint shall be continued until
22 October 14, 2016.

23
24 DATED: August 10, 2016

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26 
27 The Honorable Maxine M. Chesney
28 SENIOR UNITED STATES DISTRICT JUDGE

*Defendants represent that, on April 3, 2016, they notified plaintiff of their intent to make
the request and sought his concurrence or any objection thereto, and that, as of the date
55000.1969/8261412.1 the motion was filed, no such response had been received. 3:16-CV-03868-MMC
[Proposed] Order